STAND. COM. REP. NO. 3103

Honolulu, Hawaii

MAR 2 5 2014

RE: S.R. No. 59

S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred S.R. No. 59 entitled:

"SENATE RESOLUTION REQUESTING THE HAWAII LABOR RELATIONS BOARD TO CONDUCT AN INVESTIGATION INTO THE GRIEVANCE ARBITRATION PROCESS IN PUBLIC COLLECTIVE BARGAINING,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Hawaii Labor Relations Board to conduct an investigation into the grievance arbitration process in public collective bargaining.

Your Committee received testimony in support of this measure from the Hawaii Labor Relations Board. Your Committee received testimony in opposition to this measure from the University of Hawaii Professional Assembly; and United Public Workers, AFSCME Local 646, AFL-CIO. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the grievance arbitration process under a public collective bargaining agreement is intended to maintain labor stability and peace during the term of a contract between public employers and employees. The grievance arbitration process should be a simplified system that provides a quick, just, and cost-effective resolution to conflicts between public employers and employees. However, the existing labor arbitration process has become dominated by the advocacy of attorneys, which has unnecessarily formalized the entire hearing process,

complicated and lengthened its completion time, increased its attendant costs, and created a more adversarial environment. This measure requests the Hawaii Labor Relations Board to conduct an investigation into the grievance arbitration process in public collective bargaining to make findings and recommendations to improve labor arbitrations.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 59, as amended herein, and recommends that it be referred to the Committee on Ways and Means, in the form attached hereto as S.R. No. 59, S.D. 1.

> Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

> > Tilte

CLAYTON HEE, Chair

The Senate Twenty-Seventh Legislature State of Hawai'i

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral: Date:					
SR 59	JDL, WAM 3/21/14					
	000,			7011		
The committee is reconsidering its previous decision on this measure.						
If so, then the previous decision was to:						
The Recommendation is:						
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313						
Members		Aye	Aye (WR)	Nay	Excused	
HEE, Clayton (C)		/				
SHIMABUKURO, Maile S.L. (VC)						
GABBARD, Mike						
GALUTERIA, Brickwood						
IHARA, Jr., Les						
SOLOMON, Malama		V				
SLOM, Sam		/				
	,					

TOTAL		5			2	
Recommendation: Adopted				Not Adopted		
Chair's or Designee's Signature:						
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy						

*Only one measure per Record of Votes